

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

LENARD GIBBS,

Defendant.

CRIMINAL ACTION NO.  
1:17-CR-00207-CAP-CMS-1

**ORDER**

Before the court is the defendant's motion for a continuance and to appoint counsel [Doc. No. 458]. In his motion, the defendant indicates that he has received his attorney's withdrawal motion, and then states that he needs a new attorney and a continuance. But the defendant's attorney has filed her motion to withdraw in his appeal, which is before the Eleventh Circuit. Because the motion to withdraw is not before this court, the defendant's motion for new counsel and continuance is DENIED.<sup>1</sup>

The defendant has, throughout his appeal, also filed "judicial notices" in this matter pointing out purported errors that occurred during his trial

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<sup>1</sup> The court notes that the defendant has recently filed, in his appeal, a brief responding to his attorney's motion to withdraw. In his response, the defendant asks the Eleventh Circuit—the proper court to address his requests—for a continuance so that his new attorney can familiarize themselves with his case.

before the undersigned. In his “judicial notice” filed on March 9, 2020, the defendant references bringing “a 1983 tort claim lawsuit or any other law suit a attorney may deem proper” and indicates he wants “to be clear on the record that [he is] trying to take action.” [Doc. No. 456]. Accordingly, the clerk is DIRECTED to mail the defendant a copy of the prisoner civil rights complaint form.<sup>2</sup>

**SO ORDERED** this 18<sup>th</sup> day of March, 2020.

/s/Charles A. Pannell, Jr.  
CHARLES A. PANNELL, JR.  
United States District Judge

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<sup>2</sup> The defendant’s other requests are DENIED.